

Post-Project Approval Check List

Once you have your EECBG project approved by the Maryland Energy Administration (MEA), as documented by a signed copy of the *Project Approval Form (Attachment E)*, you can proceed with the implementation of your energy efficiency or renewable energy project.

Outlined below is a check list of the steps needed to complete the process:

I. Procuring Products and Services

<input type="checkbox"/>	<p>A. Determine the Appropriate Procurement Process Option for your Project</p> <p>Option 1: Existing, Competitively Bid Government Procurement Process</p> <p>If a contract has previously been competitively bid using a formal government procurement process (for instance, a long term HVAC support contract or an indefinite delivery energy performance contract (EPC)) for services similar to those required under the EECBG program, you can leverage the existing contract without issuing another procurement as long as your contractor agrees to comply with all federal and American Recovery and Reinvestment Act (ARRA) requirements. To use an existing, competitively bid contract, Sub-grantees must:</p> <ul style="list-style-type: none"> • Ensure that your contractor complies with applicable Davis-Bacon labor and wage requirements. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including Davis-Bacon requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. Davis-Bacon requirements can be found in Sections 11 and 12 of the revised Attachment D (July 2010) from the sub-grantee's EECBG grant agreement. Davis-Bacon labor rates for Maryland can be found in Appendix A of this document. Additional guidance on Davis-Bacon is available at http://www.energy.state.md.us/EECBG.asp. • Ensure that all iron, steel, and manufactured goods purchased under the EECBG sub-grant comply with Buy American requirements. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including Buy American requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. Buy American requirements can be found in the revised Attachment D (July 2010), Section 10 of the of the sub-grantee's EECBG grant agreement. Please note that there are waivers to Buy American requirements for electronic ballasts, LED traffic lights, and CFLs, as well as a <i>de minimis</i> waiver (of up to 5% of the total equipment and materials costs) for low value items being purchased under the EECBG program. Additional information, including details on the Buy American waivers, can be found on MEA's EECBG website at http://www.energy.state.md.us/EECBG.asp. • Ensure that all waste generated through an EECBG sub-grant is disposed of in a manner consistent with the waste management disposal process outlined in Attachment B of your EECBG sub-grant. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including waste management requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. • Ensure that the selected contractor can comply with federal Whistleblower Protection and Equal Employment Opportunity Commission (EEOC) requirements. As part of these requirements, contractors are required to post the Whistleblower Protection poster and the Equal Employment Opportunity poster (both are available in the Appendices of this
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document and on the MEA website at <http://www.energy.state.md.us/EECBG.asp>).

If you are leveraging Option 1, proceed to step I. D.

Option 2: Formalized State/Local Procurement Process

If a sub-grantee has a formalized procurement process (i.e. written procurement procedures that reflect applicable State and local laws and regulations), you should complete the EECBG procurement following your formalized procurement process.

In addition to following the sub-grantee's formalized procurement procedures, the sub-grantee must also comply with the following requirements:

- Solicit and take actions to encourage bids from [Minority Business Enterprises \(MBE\) and Disadvantaged Business Enterprises \(DBEs\)](#)¹ whenever they are potential sources, in addition to any existing customer bidders lists already established by your local government. In Maryland, a list of MBE and DBE qualified contractors is maintained on the Maryland Department of Transportation website at http://mbe.mdod.state.md.us/directory/search_select.asp.
- Ensure that your contractor complies with applicable Davis-Bacon labor and wage requirements. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including Davis-Bacon requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. Davis-Bacon requirements can be found in Sections 11 and 12 of the revised Attachment D (July 2010) from the sub-grantee's EECBG grant agreement. Davis-Bacon labor rates for Maryland can be found in Appendix A of this document. Additional guidance on Davis-Bacon is available at <http://www.energy.state.md.us/EECBG.asp>.
- Ensure that all iron, steel, and manufactured goods purchased under the EECBG sub-grant comply with Buy American requirements. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including Buy American requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. Buy American requirements can be found in the revised Attachment D (July 2010), Section 10 of the of the sub-grantee's EECBG grant agreement. Please note that there are waivers to Buy American requirements for electronic ballasts, LED traffic lights, and CFLs, as well as a *de minimis* waiver (of up to 5% of the total equipment and materials costs) for low value items being purchased under the EECBG program. Additional information, including details on the Buy American waivers, can be found on MEA's EECBG website at <http://www.energy.state.md.us/EECBG.asp>.
- Ensure that all waste generated through an EECBG sub-grant is disposed of in a manner consistent with the waste management disposal process outlined in Attachment B of your EECBG sub-grant. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including waste management requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant.
- Ensure that the selected contractor can comply with federal Whistleblower Protection and Equal Employment Opportunity Commission (EEOC) requirements. As part of these requirements, contractors are required to post the Whistleblower Protection poster and the Equal Employment Opportunity poster (both are available in the Appendices of this document and on the MEA website at <http://www.energy.state.md.us/EECBG.asp>).

Option 3: Federal Procurement Regulations Process

If a sub-grantee does not have a formalized procurement process, the sub-grantee is required to follow federal procurement regulations.

- *If the total contract will not cost more than \$100,000*, the U.S. Department of Energy (DOE) allows "small purchase procedures" to be used. *Small purchase procedures* are

	<p>those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$100,000. <i>Small purchase procedures</i> require price or rate quotations to be obtained from an adequate number of qualified sources. To obtain quotes from an adequate number of qualified sources, MEA recommends soliciting bids from at least three (3) companies.</p> <ul style="list-style-type: none"> • <u>If the total contract is for \$100,000 or more</u>, DOE allows the following procurement processes to be used: <ul style="list-style-type: none"> ○ <i>Sealed bids</i> (formal advertising) are publicly solicited and a firm fixed-price contract is awarded to the bidder whose bid meets the terms and conditions of the invitation for bids and is the lowest in price. ○ <i>Procurement by competitive proposals</i> is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. <p>For all sub-grantee procurements occurring following <u>Option 3</u>, the sub-grantee must also comply with the following requirements:</p> <ul style="list-style-type: none"> • Solicit and take actions to encourage bids from <u>Minority Business Enterprises (MBE) and Disadvantaged Business Enterprises (DBEs)</u>¹ whenever they are potential sources, in addition to any existing customer bidders lists already established by your local government. In Maryland, a list of MBE and DBE qualified contractors is maintained on the Maryland Department of Transportation website at http://mbe.mdot.state.md.us/directory/search_select.asp. • Ensure that your contractor complies with applicable Davis-Bacon labor and wage requirements. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including Davis-Bacon requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. Davis-Bacon requirements can be found in Sections 11 and 12 of the revised Attachment D (July 2010) from the sub-grantee's EECBG grant agreement. Davis-Bacon labor rates for Maryland can be found in Appendix A of this document. Additional guidance on Davis-Bacon is available at http://www.energy.state.md.us/EECBG.asp. • Ensure that iron, steel, and manufactured goods purchased under the EECBG sub-grant comply with Buy American requirements. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including Buy American requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. Buy American requirements can be found in the revised Attachment D (July 2010), Section 10 of the of the sub-grantee's EECBG grant agreement. Please note that there are waivers to Buy American requirements for electronic ballasts, LED traffic lights, and CFLs, as well as a <i>de minimis</i> waiver (of up to 5% of the total equipment and materials costs) for low value items being purchased under the EECBG program. Additional information, including details on the Buy American waivers, can be found on MEA's EECBG website at http://www.energy.state.md.us/EECBG.asp. • Ensure that all waste generated through an EECBG sub-grant is disposed of in a manner consistent with the waste management disposal process outlined in Attachment B of your EECBG sub-grant. Under your EECBG grant agreement, sub-grantees are required to pass on all ARRA requirements, including waste management requirements, to all vendors and contractors receiving contracts through an EECBG sub-grant. • Ensure that the selected contractor can comply with federal Whistleblower Protection and Equal Employment Opportunity Commission (EEOC) requirements. As part of these requirements, contractors are required to post the Whistleblower Protection poster and the Equal Employment Opportunity poster (both posters are available in the Appendices of this document and on the MEA website at http://www.energy.state.md.us/EECBG.asp).
<input type="checkbox"/>	<p>B. Draft an RFP</p> <p>If you are using a procurement method outlined in Option 2 or Option 3 from step 1a, you will now</p>

	<p>draft and release a request for proposal (RFP).</p> <p>Per the terms of the grant agreement, sub-grantees should include the revised Attachment D (July 2010) from your EECBG grant agreement (<i>ARRA Addendum- Special Terms and Conditions for ARRA-Funded EECBG Grants</i>) in the procurement document in order to ensure that all vendors and contractors bidding on an ARRA funded project understand the ARRA requirements, including Davis-Bacon and Buy American, as they develop their bids.</p>
<input type="checkbox"/>	<p>C. Conduct and Document Bid Review</p> <p>Select the winning contractor.</p>
<input type="checkbox"/>	<p>D. Develop a Procurement Contract with the Winning Contractor</p> <p>The contract must include:</p> <ul style="list-style-type: none"> • A clear and accurate description of the technical requirements for the material, product, or service to be procured. • Pricing for materials, components, labor and other cost elements. • Requirements for completing waste management disposal plan, Part 2 of the waste management disposal form¹. • The revised Attachment D (July 2010) from your EECBG grant agreement (<i>ARRA Addendum- Special Terms and Conditions for ARRA-Funded EECBG Grants</i>). The requirements for meeting the <i>Davis Bacon</i> and <i>Buy American</i> requirements, as well as all other ARRA requirements, are included in this document. • Any other procurement and contractual provisions specific to the Sub-grantee.

II. Proceeding with Installation

<input type="checkbox"/>	<p>A. Execute Project</p> <p>After the contract has been executed with your contractor and relevant requirements have been met, project construction can begin.</p> <p>For all projects requiring Davis-Bacon wages, <i>proceed to step IIB</i>. If Davis-Bacon wages are <u>not</u> required on your project, <i>please proceed to step IID</i>.</p>
<input type="checkbox"/>	<p>B. Submit Weekly Timesheets to MEA</p> <p>While construction is occurring, Davis-Bacon contractors and subcontractors are required to maintain and mail paper timesheets to MEA on a <u>weekly</u> basis.</p> <ul style="list-style-type: none"> • In order to ensure that this grant requirement is being met, Sub-grantees also have the option to collect timesheets from each of their contractors and subcontractors and submit them to MEA together. Timesheets collected by the sub-grantee must also be submitted to MEA on a <u>weekly</u> basis. • MEA recommends using the U.S. Department of Labor (DOL) Payroll Form, attached to this document as Appendix B, for Davis-Bacon payroll submission. <ul style="list-style-type: none"> ○ The payroll form can be also be downloaded electronically at http://www.dol.gov/whd/forms/wh347.pdf.
<input type="checkbox"/>	<p>C. Complete Davis-Bacon Interview</p> <p>While construction activities are occurring, Sub-grantees will need to complete a Davis-Bacon interview with <u>at least one (1) person</u> from each contractor/sub-contractor team required to comply with Davis-Bacon requirements. The Davis-Bacon Act (DBA) only applies to <u>laborers and</u></p>

¹ For more information, see <http://www.energy.state.md.us/EECBG.asp>

	<p><u>mechanics working on the actual work site</u>. DBA interviews are <u>not</u> required for individuals performing non-manual work (i.e. supervising, engineering, architecture, etc.).</p> <p>The DBA interview will ask the sub-grantee to confirm that work classification, pay rates, payroll frequency, job duties, and overtime pay requirements are being met. Grantees will also be asked to verify that the <i>DBA Compliance Poster</i> and <i>DBA Wage Rate Determinations</i> are posted on site. Sub-grantees:</p> <ul style="list-style-type: none"> • Can find the appropriate questions in the "Davis-Bacon Act Interview Record" document posted on the MEA EECBG website at http://www.energy.state.md.us/EECBG.asp and in Appendix D. • Can download an electronic copy of the <i>DBA Compliance Poster</i> and the <i>DBA Wage Rate Determinations</i> on the EECBG website at http://www.energy.state.md.us/EECBG.asp. Copies of these documents are also attached in Appendix A and Appendix C of this document. • Will need to complete the "Employee Interview" section of the "Davis-Bacon Act Interview Record" document. • Will need to mail the completed "Davis-bacon Act Interview Record" document back to MEA at 60 West Street, Attn: EECBG Program, Suite 300, Annapolis, MD 21401. <p>If you have questions or need help, please contact your Account Manager for Davis Bacon compliance guidance and/or assistance.</p>
<input type="checkbox"/>	<p>D. Buy American Products</p> <p>EECBG projects are required to use iron, steel, and manufactured goods produced in the U.S.</p> <ul style="list-style-type: none"> • Sub-grantees should require their contractors to provide documentation to them that all iron, steel, and manufactured goods are produced in the U.S. • MEA has created a <i>Buy American Certification</i> form, attached to this agreement as Appendix E that Sub-grantees (or their contractors) can use to certify Buy American compliance. • <i>Buy American</i> certification forms should be submitted to MEA. • A list of Buy American exemptions can be found on the MEA website at http://www.energy.state.md.us/EECBG.asp. <p>If you have questions or need help, please contact your Account Manager for Buy American compliance guidance and/or assistance.</p>
<input type="checkbox"/>	<p>E. Submit Monthly Status Reports to MEA</p> <p>While your project is being installed, you will need to submit <i>Monthly Status Reports</i> to MEA using the monthly report form (Attachment F in your EECBG grant agreement).</p>

III. Submitting Invoices and Project Reports to MEA

<input type="checkbox"/>	<p>A. Submit Invoice and Project Reports to MEA</p> <p>Once work has been completed, you may invoice MEA for reimbursement. Once all of the proper invoice documentation has been sent to MEA, it will take <u>approximately 30 days</u> for the sub-grantee to receive payment.</p> <p>In order for an invoice to be approved by MEA, the invoice must be on Sub-grantee letterhead and contain the following information:</p> <ul style="list-style-type: none"> • MEA grant number, • Sub-grantee's Federal Tax identification number, • Sub-grantee contact information (address, phone number). <p>The invoice must be submitted with invoice supporting documentation (copies of receipts and invoices). Invoices should be itemized by budget category: labor, materials, and equipment.</p>
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	<p>In order for an invoice to be approved, each invoice must be accompanied by:</p> <ul style="list-style-type: none"> • A project report (available in Attachment F of your grant agreement and at http://www.energy.state.md.us/documents/AttachmentF_Rev.14_1_10.doc), • Part II of the Waste Management Plan (Attachment B, Part 2 of the Grant Agreement, available at http://www.energy.state.md.us/documents/AttachmentB.doc), and • The Buy American Certification form (available at http://www.energy.state.md.us/documents/BuyAmericanCertification7_20_10.pdf and in Appendix E of this document). <p>Please note that invoices should come to MEA from the sub-grantee; MEA is unable to process invoices sent directly to MEA by a sub-grantee's contractor.</p> <p>If you have questions or need help related to invoicing or project reporting, please contact your Account Manager for assistance.</p>
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Appendix A

Davis Bacon Wages for Maryland Counties

MARYLAND May 7, 2010 County/ Borough	WD #	Laborer		Batt, Blown, Foam Insulator (Insulator, Carpenter, Laborer)		Carpenter		Electrician (Other % FB is % of Hourly Wage Rate)			Plumber			HVAC Pipe Installation (HVAC Technician, Plumber, Pipefitter)			HVAC Duct Installation (HVAC Technician, Sheet Metal Worker)	
		Wage	Fringe	Wage	Fringe	Wage	Fringe	Wage	Fringe	Other	Wage	Fringe	Other	Wage	Fringe	Other	Wage	Fringe
Allegany	MD-16	\$11.14	\$0.00			\$18.05	\$6.39	\$27.90	\$14.26	\$0.00	\$28.38	\$10.63	\$0.00	\$17.50	\$2.49		\$18.34	\$5.44
Anne Arundel	MD-18	\$11.15	\$0.00	\$11.88	\$0.50	\$16.33	\$0.31	\$23.49	\$0.81		\$22.63	\$0.60		\$36.87	\$15.47	9 Pd Holidays	\$15.62	\$1.20
Baltimore	MD-19	\$11.76	\$0.00	\$11.88	\$0.50	\$18.05	\$6.39	\$23.49	\$0.81	\$0.00	\$18.00	\$0.00	\$0.00	\$36.22	\$14.80		\$15.67	\$1.20
Baltimore City	MD-20	\$11.65	\$0.00	\$11.88	\$0.50	\$16.50	\$5.29	\$24.97	\$0.81		\$24.36	\$0.00		\$36.22	\$14.80		\$15.62	\$1.20
Calvert	MD-22	\$12.11	\$2.18			\$26.38	\$7.00	\$24.13	\$7.99	3 Pd Holidays	\$22.66	\$7.99	9 Pd Holidays	\$36.87	\$15.47	9 Pd Holidays	\$34.04	\$12.76
Caroline	MD-12	\$11.00	\$0.00			\$16.90	\$2.29										\$28.45	\$14.39
Carroll	MD-25	\$11.23	\$0.00	\$11.88	\$0.50	\$18.05	\$6.39	\$23.49	\$0.81	\$0.00	\$22.43	\$0.00	\$0.00	\$36.22	\$14.80		\$15.62	\$1.20
Cecil	MD-54	\$10.11	\$0.00	\$11.88	\$0.50	\$14.70	\$0.00	\$23.49	\$0.81		\$22.43	\$0.00	\$0.00	\$36.22	\$14.80		\$15.62	\$1.20
Charles	MD-55	\$12.11	\$2.18			\$26.38	\$7.00	\$24.13	\$7.99	3 Pd Holidays	\$22.66	\$9.36	9 Pd Holidays	\$36.87	\$15.47	9 Pd Holidays	\$34.04	\$12.76
Dorchester	MD-4	\$10.12	\$0.00			\$15.79	\$1.20										\$28.45	\$14.39
Frederick	MD-83	\$12.11	\$2.18			\$24.09	\$9.90	\$33.50	\$12.55	5.25%	\$36.22	\$14.80	\$0.00	\$36.22	\$14.80		\$28.45	\$14.39
Garrett	MD-5	\$10.00	\$0.00			\$15.91	\$0.00											
Harford	MD-87	\$11.23	\$0.00	\$11.88	\$0.50	\$18.05	\$6.39	\$23.49	\$0.81	\$0.00	\$22.43	\$0.00	\$0.00	\$36.22	\$14.80		\$15.62	\$1.20
Howard	MD-87	\$11.23	\$0.00	\$11.88	\$0.50	\$18.05	\$6.39	\$23.49	\$0.81	\$0.00	\$22.43	\$0.00	\$0.00	\$36.22	\$14.80		\$15.62	\$1.20
Kent	MD-12	\$11.00	\$0.00			\$16.90	\$2.29										\$28.45	\$14.39
Montgomery	MD-84	\$11.50	\$2.01			\$26.38	\$7.00	\$24.13	\$7.99	3 Pd Holidays	\$22.66	\$9.36	9 Pd Holidays	\$36.87	\$15.47	9 Pd Holidays	\$34.04	\$12.76
Prince George's	MD-85	\$12.85	\$2.53			\$26.38	\$7.00	\$24.13	\$7.99	3 Pd Holidays	\$22.66	\$9.36	9 Pd Holidays	\$36.87	\$15.47	9 Pd Holidays	\$34.04	\$12.76
Queen Anne's	MD-12	\$11.00	\$0.00			\$16.90	\$2.29										\$28.45	\$14.39
Somerset	MD-88	\$12.14	\$2.00			\$23.53	\$14.09	\$22.50	\$10.20	5.00%	\$32.33	\$11.64	\$0.00	\$32.33	\$11.64		\$28.45	\$14.39
St. Mary's	MD-11	\$11.96	\$0.00			\$16.90	\$2.29										\$34.04	\$12.76
Talbot	MD-12	\$11.00	\$0.00			\$16.90	\$2.29										\$28.45	\$14.39
Washington	MD-86	\$11.14	\$0.00			\$18.05	\$6.39	\$27.90	\$14.26	\$0.00	\$36.22	\$14.80	\$0.00	\$17.50	\$2.49		\$18.34	\$5.44

Davis Bacon Certified Payroll Form (Page 1 of 2)



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Davis Bacon Certified Payroll Form (Page 2 of 2)

9

Appendix C

Davis-Bacon Act Compliance Poster

EMPLOYEE RIGHTS UNDER THE DAVIS-BACON ACT	
FOR LABORERS AND MECHANICS EMPLOYED ON FEDERAL OR FEDERALLY ASSISTED CONSTRUCTION PROJECTS	
THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION	
PREVAILING WAGES	You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this Notice for the work you perform.
OVERTIME	You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.
ENFORCEMENT	Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for up to three years. A contractor who falsifies certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.
APPRENTICES	Apprentice rates apply only to apprentices properly registered under approved Federal or State apprenticeship programs.
PROPER PAY	If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below:
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or contact the U.S. Department of Labor's Wage and Hour Division.	
For additional information:	
	1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627
	
WWW.WAGEHOUR.DOL.GOV	
U.S. Department of Labor Employment Standards Administration Wage and Hour Division	
WH-1321 (Revised April 2008)	

Appendix D

<u>Davis-Bacon Act Interview Record</u>			
EECBG Sub-Grant Recipient: _____			
EECBG Sub- Grant Number: _____			
I. Employee Interview: (To be completed by the Sub-Grantee)			
Name of Contractor or Subcontractor (Employer): _____			
Name of Employee being interviewed: _____			

Home -Street Address	City	State	Zip Code
<u>Employee Interview Questions</u>			
1. What is your Work Classification? _____			
2. What is your Regular Hourly Rate of Pay: _____			
3. Please describe your Duties: _____			
4. Are you paid at Least Time and One-half for All Overtime hours worked? ____Yes ____ No [In Maryland, overtime occurs when hours worked are in excess of 8 hours/day and/or 40 hours/week]			
5. Have you ever been Threatened, Intimidated, or Coerced into Giving up Any Part of Your Pay? ____Yes ____ No			
6. What Tools or Equipment do you use?: _____			
<u>Site Observations</u>			
7. Is the Davis-Bacon Act Compliance Poster posted on the worksite? ____Yes ____ No			
8. Are the Davis-Bacon wage rate determinations posted on the worksite? ____Yes ____ No			
Duties Observed by Interviewer: _____			

Comments by Employee: _____			

Comments by Interviewer: _____			

Signature of Interviewer: _____ Date: _____			
Signature of Employee: _____ Date: _____			
* Upon interview completion, please forward the DBA Interview Record to MEA at 60 West St, Suite 300, Annapolis, MD 21401.			

Appendix D

II. Desk Top Monitoring After Interview: (To be completed by MEA after the interview record is sent to MEA by the Sub-Grantee)

Verification from Payroll Number for Week Ending: _____

Total Regular Hours Worked: _____

Total Overtime Hours Worked: _____

Rate of Pay for Regular Hours Rate of Pay for over Time Hours: _____

Does Information Comply with the Davis Bacon Wage Rate? ____ Yes ____ No

If No, Explain: _____

Appendix E

Buy American Certification Form

Buy American Certification

This certification is to be used by Maryland Energy Administration EECBG Grantees to obtain from each of their vendors (including contractors, subcontractors, suppliers, distributors) a certification that the vendor is in compliance with the Buy American provisions of the American Recovery and Reinvestment Act of 2009 (ARRA). Grantees should make copies of this certification form and have a representative of each vendor complete and sign the form. Vendors should also attach (if available) receipts and/or other documentation with this form showing evidence of Buy American compliance. Return completed and signed forms to the Maryland Energy Administration, Attn: EECBG Grant Program – Buy American Certification, 60 West Street, Suite 300, Annapolis, MD 21140. For more information, refer to the attached Buy American Frequently Asked Questions and Answers.

_____ I hereby certify that all of the iron, steel and manufactured goods supplied or provided by me or my company for use on this project for the construction, alteration, maintenance, or repair of a public building or public work was produced in the United States of America, unless a United States Department of Energy exception or waiver applies.

_____ I am relying on the following Buy American exceptions and/or waivers (check all that apply):

___ Iron, steel and manufactured goods supplied/provided by me equal no more than 5% of the total cost of the iron, steel and manufactured goods used in and incorporated into this project.

___ I am supplying or providing a good(s) deemed by the United States Department of Energy to be not produced or manufactured in the United States in sufficient and reasonably available quantities and of a satisfactory quality (list good(s) below).

Project Description/Goods and Services Provided By Vendor

Vendor Name

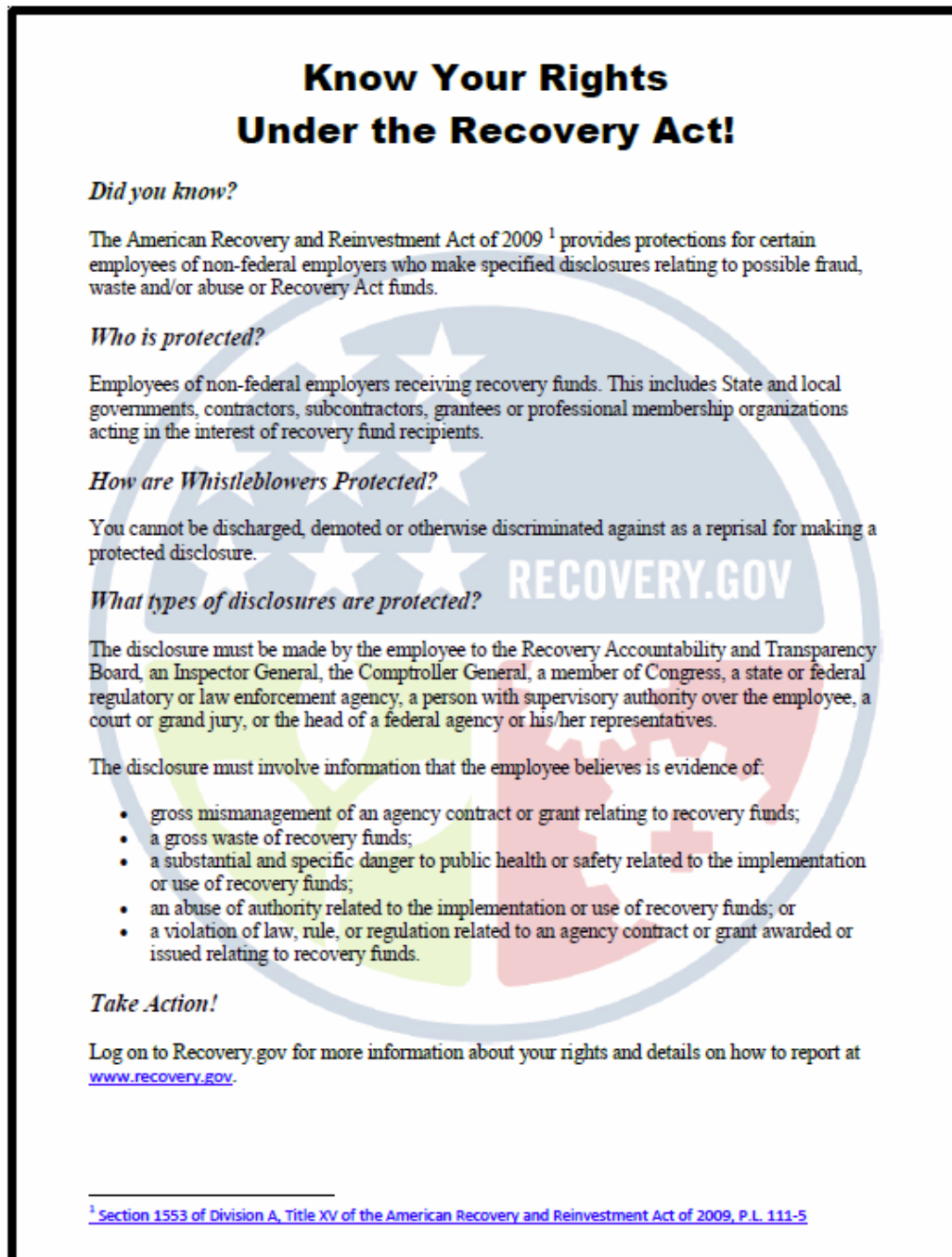
Vendor Authorized Representative Signature

Date

Vendor Authorized Representative Printed Name

Appendix F

Whistleblower Protection Poster

The poster is titled "Know Your Rights Under the Recovery Act!" and features a large, faint background watermark of the American Recovery and Reinvestment Act of 2009 seal, which includes the text "RECOVERY.GOV". The poster is enclosed in a black rectangular border.

**Know Your Rights
Under the Recovery Act!**

Did you know?

The American Recovery and Reinvestment Act of 2009 ¹ provides protections for certain employees of non-federal employers who make specified disclosures relating to possible fraud, waste and/or abuse of Recovery Act funds.

Who is protected?

Employees of non-federal employers receiving recovery funds. This includes State and local governments, contractors, subcontractors, grantees or professional membership organizations acting in the interest of recovery fund recipients.

How are Whistleblowers Protected?

You cannot be discharged, demoted or otherwise discriminated against as a reprisal for making a protected disclosure.

What types of disclosures are protected?

The disclosure must be made by the employee to the Recovery Accountability and Transparency Board, an Inspector General, the Comptroller General, a member of Congress, a state or federal regulatory or law enforcement agency, a person with supervisory authority over the employee, a court or grand jury, or the head of a federal agency or his/her representatives.

The disclosure must involve information that the employee believes is evidence of:

- gross mismanagement of an agency contract or grant relating to recovery funds;
- a gross waste of recovery funds;
- a substantial and specific danger to public health or safety related to the implementation or use of recovery funds;
- an abuse of authority related to the implementation or use of recovery funds; or
- a violation of law, rule, or regulation related to an agency contract or grant awarded or issued relating to recovery funds.

Take Action!

Log on to [Recovery.gov](http://www.recovery.gov) for more information about your rights and details on how to report at www.recovery.gov.

¹ Section 1553 of Division A, Title XV of the American Recovery and Reinvestment Act of 2009, P.L. 111-5

Appendix G

Equal Employment Opportunity Poster

Equal Employment Opportunity is
THE LAW

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN
Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

DISABILITY
Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

AGE
The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)
In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS
Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION
All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED
There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:
The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.